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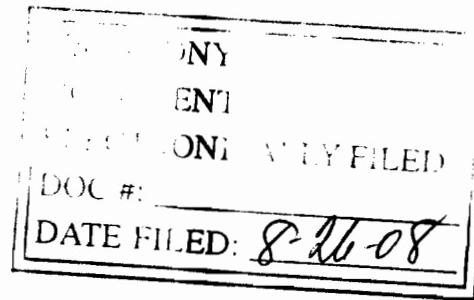
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August 22, 2008

Hon. Victor Marrero, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street, Room 660
New York, New York 10007



Re: Trustees of the Mason Tenders District Council Welfare Fund,
et al. v. Metro Demolition Contracting Corp., *et al.*
07 Civ. 3608 (VM)

Dear Judge Marrero:

The undersigned counsel for plaintiffs respectfully requests that the above-captioned action be restored to the Court's active calendar.

Pursuant to this Court's Order dated July 10, 2008, the action was conditionally discontinued with the right to restore it within forty-five (45) days of the date of the Order if the contemplated settlement was not consummated. Plaintiffs have just today received some of the third party documentation that defendants were to obtain before the proposed settlement could proceed. We anticipate receipt of the balance of that documentation soon, at which point we will be able to prepare the formal settlement papers.

Accordingly, although we believe that the contemplated settlement will go forward and a stipulation and order of settlement will be executed and submitted to the Court within the next 45 to 60 days, in light of this Court's Order dated July 10, 2008 plaintiffs must request restoration of this action to the active calendar of this Court.

Respectfully,

Sally L. Schneider

Request GRANTED. The Conditional Order of Discontinuance herein is amended to extend until 10-27-08 the date by which plaintiff may restore the action to the Court's active calendar.

SO ORDERED.

8-25-08
DATE

VICTOR MARRERO, U.S.D.J.

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United States District Court
Southern District of New York
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